

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

SHANNON LYNNE PUTMAN

Registered Nurse License No. 691501

Respondent.

Case No. 2012-472

I hereby certify the
foregoing to be a true copy
of the documents on file in our office.

BOARD OF REGISTERED NURSING

Louise R. Bailey M.Ed., RN
Louise R. Bailey, M. Ed., RN
Interim Executive Officer



DECISION

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on July 3, 2012.

IT IS SO ORDERED this July 3, 2012.

Erin Niemel
Temporary Chair
Board of Registered Nursing
Department of Consumer Affairs
State of California

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8 BEFORE THE
9 BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2012-472

12 SHANNON LYNNE PUTMAN
2112 Caleb Drive
13 Searcy, AR 72143
14 Registered Nurse License No. 691501

STIPULATED SURRENDER OF
LICENSE AND ORDER

15 Respondent.

16 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
17 proceeding that the following matters are true:

18 PARTIES

19 1. Louise R. Bailey, M.Ed., R.N. (Complainant) is the Interim Executive Officer of the
20 Board of Registered Nursing. She brought this action solely in her official capacity and is
21 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
22 Geoffrey Ward, Deputy Attorney General.

23 2. Shannon Lynne Putman (Respondent) is representing herself in this proceeding and
24 has chosen not to exercise her right to be represented by counsel.

25 3. On or about October 27, 2006, the Board of Registered Nursing issued Registered
26 Nurse License No. 691501 to Shannon-Lynne-Putman (Respondent). The Registered Nurse
27 License expired on August 31, 2008, and has not been renewed.
28

JURISDICTION

4. Accusation No. 2012-472 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on February 22, 2012. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2012-472 is attached as Exhibit A and incorporated by reference.

5. The Board retains jurisdiction over Respondent's expired license under Business and Professions Code sections 118 (b), 2764, and 2811 (b), which allow it to proceed with disciplinary action against licensees within the eight-year period of time in which their expired licenses may be renewed.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, and understands the charges and allegations in Accusation No. 2012-472. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.

7. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Accusation No. 2012-472, agrees that cause exists for discipline in California based on the disciplinary action taken against her in Arkansas and hereby surrenders her Registered Nurse License No. 691501 for the Board's formal acceptance.

2

10. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Registered Nurse License without further process.

MITIGATION

11. This is the first time Respondent has appeared before the Board in a disciplinary proceeding. This proceeding is based solely upon discipline imposed by the Arkansas Board of Nursing in a settlement with her in 2009. In September 2011, she completed her probation with the Arkansas Board after complying with all of the terms of her probation there.

CONTINGENCY

12. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

13. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

14. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

1 15. In consideration of the foregoing admissions and stipulations, the parties agree that
2 the Board may, without further notice or formal proceeding, issue and enter the following Order:

3 **ORDER**

4 IT IS HEREBY ORDERED that Registered Nurse License No. 691501, issued to
5 Respondent Shannon Lynne Putman, is surrendered and accepted by the Board of Registered
6 Nursing.

7 1. The surrender of Respondent's Registered Nurse License and the acceptance of the
8 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
9 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
10 license history with the Board of Registered Nursing.

11 2. Respondent shall lose all rights and privileges as a Registered Nurse in California as
12 of the effective date of the Board's Decision and Order.

13 3. Respondent shall cause to be delivered to the Board her pocket license and, if one was
14 issued, her wall certificate on or before the effective date of the Decision and Order.

15 4. If Respondent ever files an application for licensure or a petition for reinstatement in
16 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
17 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
18 effect at the time the petition is filed, and all of the charges and allegations contained in
19 Accusation No. 2012-472 shall be deemed to be true, correct and admitted by Respondent when
20 the Board determines whether to grant or deny the petition.

21 5. Should Respondent's license be reinstated, she shall pay to the Board costs associated
22 with its investigation and enforcement pursuant to Business and Professions Code section 125.3
23 in the amount of \$485.00. Respondent shall be permitted to pay these costs in a payment plan
24 approved by the Board. Nothing in this provision shall be construed to prohibit the Board from
25 reducing the amount of cost recovery upon reinstatement of the license.

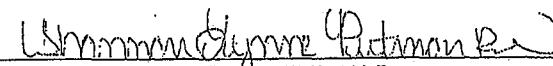
26 6. Respondent shall not apply for licensure or petition for reinstatement for two (2)
27 years from the effective date of the Board of Registered Nursing's Decision and Order.
28

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED:

4-12-12


SHANNON LYNNE PUTMAN
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated:

5/2/12

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
KAREN B. CHAPPELLE
Supervising Deputy Attorney General



GEOFFREY WARD
Deputy Attorney General
Attorneys for Complainant

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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. **2012-472**

11 **Shannon Lynne Putman aka Shannon**
12 **Lynne Hooten aka Shannon Lynne Conley**

A C C U S A T I O N

13 **2112 Caleb Drive**
14 **Searcy, AR 72143**

15 **Registered Nurse License No. 691501**

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., R.N. ("Complainant") brings this Accusation solely in her
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
21 of Consumer Affairs.

22 2. On or about October 27, 2006, the Board of Registered Nursing issued Registered
23 Nurse License Number 691501 to Shannon Lynne Putman aka Shannon Lynne Hooten aka
24 Shannon Lynne Conley ("Respondent"). The Registered Nurse license expired on August 31,
25 2008 and has not been renewed.

26 **JURISDICTION AND STATUTORY PROVISIONS**

27 3. This Accusation is brought before the Board of Registered Nursing ("Board"),
28 Department of Consumer Affairs, under the authority of the following laws:

1 4. Section 2750 of the Business and Professions Code (all section references are to the
2 Business and Professions Code unless otherwise noted) provides, in pertinent part, that the Board
3 may discipline any licensee, including a licensee holding a temporary or inactive license, for any
4 reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5 5. Section 2764 provides, in pertinent part, that the expiration of a license shall not
6 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
7 to render a decision imposing discipline on the license. Under Section 2811 subdivision (b) the
8 Board may renew an expired license at any time within eight years after the expiration.

9 6. Section 118 subdivision (b) also grants the Board jurisdiction over suspended,
10 expired, forfeited, cancelled, or surrendered licenses:

11 "The suspension, expiration, or forfeiture by operation of law of a license issued by a
12 board in the department, or its suspension, forfeiture, or cancellation by order of the
13 board or by order of a court of law, or its surrender without the written consent of the
14 board, shall not, during any period in which it may be renewed, restored, reissued, or
15 reinstated, deprive the board of its authority to institute or continue a disciplinary
16 proceeding against the licensee upon any ground provided by law or to enter an order
17 suspending or revoking the license or otherwise taking disciplinary action against the
18 licensee on any such ground."

19 7. Section 2761, which is part of Article 3 of the Nursing Practice Act, provides, in
20 pertinent part:

21 "The board may take disciplinary action against a certified or licensed
22 nurse or deny an application for a certificate or license for any of the following:

23 "(a) Unprofessional conduct, which includes, but is not limited to, the
24 following:

25 ...

26 "(4) Denial of licensure, revocation, suspension, restriction, or any other
27 disciplinary action against a health care professional license or certificate by another
28 state or territory of the United States, by any other government agency, or by another
California health care professional licensing board. A certified copy of the decision
or judgment shall be conclusive evidence of that action...."

COST RECOVERY

8. Section 125.3 provides, in pertinent part, that the Board, Registrar, or Director may
request the administrative law judge to direct a licentiate found to have committed a violation or

1 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
2 and enforcement of the case.

3 **CAUSE FOR DISCIPLINE**

4 **(Disciplinary Action by the Arkansas Board of Nursing)**

5 9. Respondent is subject to disciplinary action under Section 2761 subdivision (a)(4)
6 because in 2009 the Arkansas State Board of Nursing ("Arkansas Board") placed her license to
7 practice nursing in Arkansas on probation. The circumstances of the Arkansas Board's
8 disciplinary action are as follows:

9 10. On or about September 2009, the Arkansas Board entered into a consent agreement
10 with Respondent in which it found and she admitted that she had self-treated her insomnia by
11 obtaining 81 different prescriptions for Ambien (a sedative used to treat insomnia) from 23
12 different prescribers around the state in order to obtain 2,490 tablets of it. The Arkansas Board
13 concluded and she agreed this was unprofessional conduct and showed habitually intemperate or
14 addictive use of habit-forming drugs. It ordered her license placed on two years' probation
15 during which she would have to take coursework, attend twelve-step meetings, abstain from
16 alcohol or drugs, notify employers of her probation, and submit to random drug testing.

17 11. Under Section 2761 subdivision (a)(4) the placing of Respondent's Arkansas nursing
18 license on probation by the Arkansas Board is ground for the California Board to take disciplinary
19 action.

20 **PRAYER**

21 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
22 and that following the hearing, the Board of Registered Nursing issue a decision:

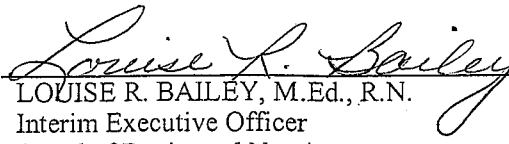
23 1. Revoking or suspending Registered Nurse License Number 691501, issued to
24 Shannon Lynne Putman aka Shannon Lynne Hooten aka Shannon Lynne Conley;

25 2. Ordering Shannon Lynne Putman aka Shannon Lynne Hooten aka Shannon Lynne
26 Conley to pay the Board of Registered Nursing the reasonable costs of the investigation and
27 enforcement of this case, pursuant to Business and Professions Code Section 125.3; and

28 ///

3. Taking such other and further action as deemed necessary and proper.

DATED: February 22, 2012


LOUISE R. BAILEY, M.Ed., R.N.
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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